

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

JOSEPH BARKER, Regional Director  
of Region 13 of the NATIONAL LABOR  
RELATIONS BOARD, for and on behalf  
of the NATIONAL LABOR RELATIONS  
BOARD,

Petitioner,

**VS.**

REGAL HEALTH AND REHAB CENTER

Respondent.

Case No. 08 CV 2229

## Judge Grady

Magistrate Judge Cole

**RESPONDENT'S ANSWER TO PETITIONER'S FIRST AMENDED  
PETITION FOR PRELIMINARY INJUNCTION UNDER SECTION  
10(J) OF THE NATIONAL LABOR RELATIONS ACT**

NOW COMES Regal Health and Rehab Center, by and through its attorneys Peter Andjelkovich & Associates and hereby responds to Petitioner's First Amended Petition For Preliminary Injunction Under Section 10(J) of The National Labor Relations Act.

Regal Health and Rehab Center (“Respondent”) denies it has been and continues to engage in acts and conduct in violation of Section 8(a)(1) and (3) of the Act (29USC sec 158 (a)(1) and (3). Furthermore, Respondent responds to Petitioner’s First Amended Petition as follows:

1. Respondent admits to the allegation contained in paragraph one of Petitioner's First Amended Petition.
2. Respondent admits to the allegation contained in paragraph two of Petitioner's First Amended Petition.

3. Respondent admits to the allegation contained in paragraph three of Petitioner's First Amended Petition.
4. Respondent admits, in part, to the allegation contained in paragraph four of Petitioner's First Amended Petition. However, Respondent denies the allegations contained in the Charge and the allegations contained in Case 13 CA 44481.
5. Respondent admits to the allegation contained in paragraph five of Petitioner's First Amended Petition. However, Respondent denies the allegations contained in the Charge and the allegations contained in Case 13 CA 44482.
6. Respondent admits to the allegation contained in paragraph six of Petitioner's First Amended Petition. However, Respondent denies the allegations contained in the Charges and the allegations contained in Case Nos. 13 CA 44481 and 13 CA 44482.
7. Respondent admits, in part, to the allegation contained in paragraph seven of Petitioner's First Amended Petition. However, Respondent denies the allegations contained in the Charge and the allegations contained in Case Nos. 13 CA 44619.
8. Respondent admits that a field investigation involving the parties took place. However, Respondent denies the remaining allegations contained in paragraph eight of Petitioner's First Amended Petition.
9. Respondent denies the allegation contained in paragraph nine of Petitioner's First Amended Petition.
  - a. Respondent admits the allegation contained in paragraph 9(a) of Petitioner's First Amended Petition;
  - b. Respondent admits the allegation contained in paragraph 9(b) of Petitioner's First Amended Petition;
  - c. Respondent admits the allegation contained in paragraph 9(c) of Petitioner's First Amended Petition;
  - d. Respondent admits the allegation contained in paragraph 9(d) of Petitioner's First Amended Petition;
  - e. Respondent admits the allegation contained in paragraph 9(e) of Petitioner's First Amended Petition;
  - f. Respondent denies the allegation contained in paragraph 9(f) of Petitioner's First Amended Petition;
  - g. Respondent denies the allegation contained in paragraph 9(g)(i) and (ii) of Petitioner's First Amended Petition;
  - h. Respondent denies the allegation contained in paragraph 9(h)(i) and (ii) of Petitioner's First Amended Petition;
  - i. Respondent denies the allegation contained in paragraph 9(i)(i) and (ii) of

- Petitioner's First Amended Petition;
  - j. Respondent denies the allegation contained in paragraph 9(j)(i) and (ii) of Petitioner's First Amended Petition;
  - k. Respondent denies the allegation contained in paragraph 9(k)(i)(ii)(iii) and (iv) of Petitioner's First Amended Petition;
  - l. Respondent denies the allegation contained in paragraph 9(l) of Petitioner's First Amended Petition;
  - m. Respondent denies the allegation contained in paragraph 9(m) of Petitioner's First Amended Petition;
  - n. Respondent denies the allegation contained in paragraph 9(n) of Petitioner's First Amended Petition;
  - o. Respondent denies the allegation contained in paragraph 9(o) of Petitioner's First Amended Petition;
  - p. Respondent denies the allegation contained in paragraph 9(p) of Petitioner's First Amended Petition;
  - q. Respondent admits the allegation contained in paragraph 9(q) of Petitioner's First Amended Petition;
  - r. Respondent admits the allegation contained in paragraph 9(r) of Petitioner's First Amended Petition;
  - s. Respondent admits the allegation contained in paragraph 9(s) of Petitioner's First Amended Petition;
  - t. Respondent admits the allegation contained in paragraph 9(t) of Petitioner's First Amended Petition;
  - u. Respondent admits the allegation contained in paragraph 9(u) of Petitioner's First Amended Petition;
  - v. Respondent denies the allegation contained in paragraph 9(v) of Petitioner's First Amended Petition;
  - w. Respondent denies the allegation contained in paragraph 9(w) of Petitioner's First Amended Petition;
  - x. Respondent denies the allegation contained in paragraph 9(x) of Petitioner's First Amended Petition;
  - y. Respondent denies the allegation contained in paragraph 9(y) of Petitioner's First Amended Petition;
  - z. Respondent denies the allegation contained in paragraph 9(z) of Petitioner's First Amended Petition;
  - aa. Respondent denies the allegation contained in paragraph 9(aa) of Petitioner's First Amended Petition;
  - bb. Respondent denies the allegation contained in paragraph 9(bb) of Petitioner's First Amended Petition;
  - cc. Respondent denies the allegation contained in paragraph 9(cc) of Petitioner's First Amended Petition;
10. Respondent denies the allegation contained in paragraph ten of Petitioner's First

Amended Petition.

- a. Respondent denies the allegation contained in paragraph 10(a) of Petitioner's First Amended Petition;
  - b. Respondent denies the allegation contained in paragraph 10(b) of Petitioner's First Amended Petition;
  - c. Respondent denies the allegation contained in paragraph 10(c) of Petitioner's First Amended Petition;
11. Respondent denies the allegation contained in paragraph eleven of Petitioner's First Amended Petition.
  12. Respondent denies the allegation contained in paragraph twelve of Petitioner's First Amended Petition.
  13. Respondent denies the allegation contained in paragraph thirteen of Petitioner's First Amended Petition.
  14. Respondent denies the allegation contained in paragraph fourteen of Petitioner's First Amended Petition.
  15. Respondent denies the allegation contained in paragraph fifteen of Petitioner's First Amended Petition.

WHEREFORE, Respondent respectfully prays as follows:

- A. That this Court deny Petitioner's First Amended Petition For Preliminary Injunction Under Section 10(J) of The National Labor Relations Act;
- B. That Respondent be awarded attorneys fees and costs for the necessity of having to answer Petitioner's First Amended Petition For Preliminary Injunction Under Section 10(J) of The National Labor Relations Act;
- C. That this Court award Respondent any and all further relief as this Court deems equitable and just.

Respectfully submitted,  
REGAL HEALTH AND REHAB CENTER

By: /s/Peter Andjelkovich  
One of its attorneys

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